Appl. No. 10/025,059
Docket No. 8819
Amdt. dated October 24, 2007
Reply to Office Action mailed on May 25, 2007
Customer No. 27752

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AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (previously amended) An absorbent article having an upper surface, a lower surface and a periphery, comprising:

a topsheet having a bottom surface and a viewing surface positioned opposite to the bottom surface, the viewing surface facing upwardly towards the upper surface of the absorbent article;

a backsheet having a garment facing surface and a user facing surface positioned oppositely to the garment facing surface, the backsheet being joined to the topsheet;

an absorbent core having a top surface and a bottom surface positioned opposite to the top surface, the absorbent core being positioned between the topsheet and the backsheet; and

the absorbent article having a colored portion and a non-colored portion, the colored portion and the non-colored portion being viewable from the viewing surface of the topsheet, the colored portion having a first shade and a second shade, the first shade being positioned substantially within the second shade, the second shade being different from the first shade, the shades operating to create a perception of depth within the absorbent article by a user looking upon the viewing surface of the topsheet.

2.– 3. (cancelled)

4. (currently amended) The absorbent article of Claim [[3]] 1 wherein the color differences between the colored portion and the non-colored portion are measured at a first point, a second point, and a third point on the viewing surface of the topsheet inboard of the periphery of the absorbent article, the first point being measured within the first shade, the second point being measured within the second shade, and the third point being measured within the non-colored portion of the absorbent article, the color differences

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being calculated using the L, a, and b values by the formula $\Delta E = [(L^*_x - L^*_y)^2 + (a^*_x - a^*_y)^2 + (b^*_x - b^*_y)^2]^{1/2}$ $\Delta E^* = [(L^*_x - L^*_y)^2 + (a^*_x - a^*_y)^2 + (b^*_x - b^*_y)^2]^{1/2}$.

5. (original)   The absorbent article of Claim 4 wherein the difference in color between the first shade and the second shade is at least 3.5.

6. (original)   The absorbent article of Claim 4 wherein the difference in color between the first shade and the non-colored portion is at least 6.

7. (original)   The absorbent article of Claim 4 wherein the difference in color between the second shade and the non-colored portion is at least 3.5.

8. (original)   The absorbent article of Claim 1 wherein the size of the colored portion ranges from about 5% to about 98% of the viewing surface of the topsheet.

9. (original)   The absorbent article of Claim 1 wherein the first shade of the colored portion is positioned substantially centrally in relation to the second shade of the colored portion.

10.- 13. (cancelled)

14. (previously amended) The absorbent article of Claim 1 wherein the colored portion comprises a multi-colored insert positioned beneath the topsheet and comprising at least a first layer and a second layer wherein the first layer comprises one shade of the color and wherein the second layer comprises another shade of the color.

15.- 19. (cancelled)